

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N #2006-2448-21

October 27, 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

STEVE AND CONNIE TOBIAS
789 SOUTH VILLIER COURT
VIRGINIA BEACH, VIRGINIA 23452

for a permit to construct a dock structure in

THE ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at Lot 13, Block C, Tract G, Intracoastal Court, Wild Dunes, on the Isle of Palms, Charleston County, South Carolina (Latitude -32.804023 Longitude - 79.765472)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 27 NOVEMBER 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a 4' x 97' walkway leading to a 20' x 20' covered fixed pierhead. Off of the west side of the primary walkway a 4' x 25.5' walkway will be constructed leading to a 3' x 15' ramp to an 8' x 20' floating dock. On the south side of the 4' x 25.5' walkway a 12' x 12' boat lift will also be constructed. It is understood that this work will be conducted on/or adjacent to an area subject to a prism and/or disposal easement held by the United States in perpetuity in conjunction with a Congressionally authorized project for the maintenance and improvement of the Atlantic Intracoastal Waterway (AIWW). Should a permit be issued, appropriate provisions will be included to ensure the interests of the Federal Government are understood. The purpose of this work is for the applicant's private recreational use.

October 27, 2006

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.02 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

October 27, 2006

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact David Chamberlain at 843-329-8044 or toll free at 1-866-329-8187.

SAC 2006-2448-21

ATLANTIC INTRACOASTAL WATERWAY
MEETING REACH -320' R/W

SITE

INTRACOASTAL COURT

RECEIVED

SEP 18 2006

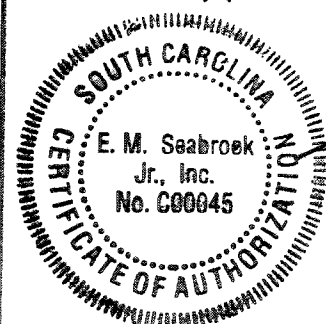
DHEC-OCRM
CHARLESTON OFFICE

FORTY FIRST

SPARROW

DUCK

WATERWAY



VICINITY MAP

NOT TO SCALE



PURPOSE: TO CONSTRUCT A PRIVATE DOCK
ADJACENT PROPERTY OWNERS:

1. JOHN F. DUNBAR, JR. (TMS 571-07-00-143)
1585 SKYLYN DR.
SPARTANBURG, SC 29307
2. DOLORES D. CANNON (TMS 571-07-00-141)
36 INTRACOASTAL CT.
ISLE OF PALMS, SC 29451

PROPOSED: DOCK

IN INTRACOASTAL WATERWAY-MEETING REACH
AT LOT 13 BL. C TRACT G WILD DUNES
CITY OF ISLE OF PALMS
CHARLESTON COUNTY, S.C.

APPLICATION BY:
STEPHEN C. TOBIAS
789 S VILLIER CT.
VIRGINIA BEACH, VA. 23452
SHEET 1 OF 3

DATE: 09/06/06

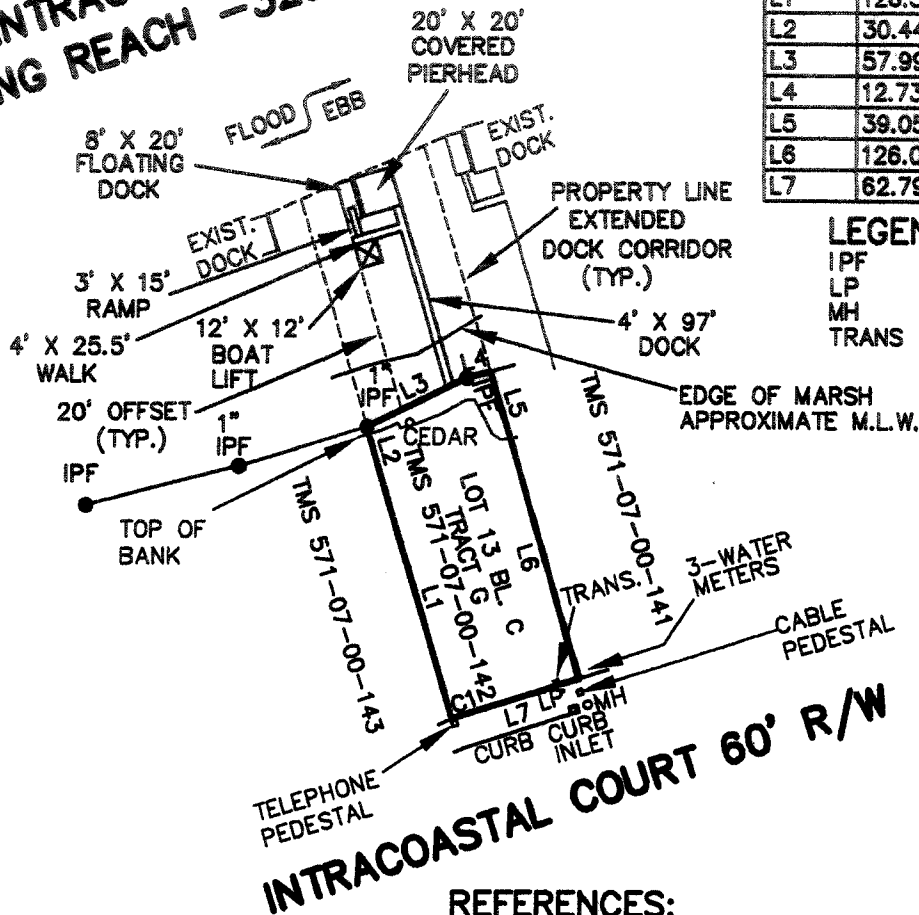
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ATLANTIC INTRACOASTAL WATERWAY MEETING REACH -320' R/W

LINE TABLE		
LINE	LENGTH	BEARING
L1	126.33	N17°00'00"W
L2	30.44	N17°00'00"W
L3	57.99	N63°59'55"E
L4	12.73	N75°04'27"E
L5	39.05	S17°00'00"E
L6	126.00	S17°00'00"E
L7	62.79	S73°00'00"W

LEGEND

IPF IRON PIPE FOUND
LP LIGHT POST
MH MANHOLE
TRANS TRANSFORMER



RECEIVED

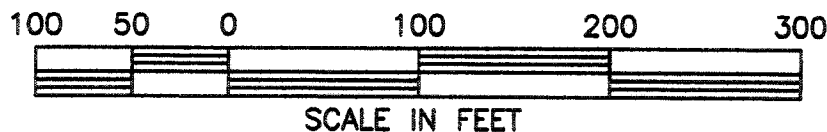
SEP 18 2006

DHEC-OCRM
CHARLESTON OFFICE

REFERENCES:

1. PLAT BY ENGINEERING, SURVEYING AND PLANNING, INC.
DATED 12/04/RECORDED IN CHARLESTON COUNTY RMC
OFFICE IN PLAT BOOK CH PAGE 8

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	DELTA	CHORD	CHORD BEARING
C1	7.22	78.33	3.61	5°16'47"	7.22	S70°21'37"W



PLAN LOT 13

SCALE: 1" = 100'
DATUM: NGVD 29



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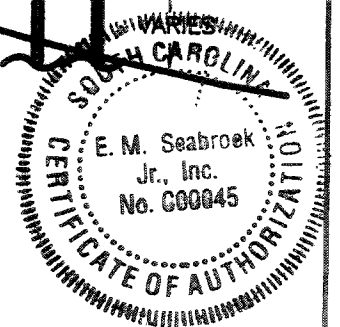
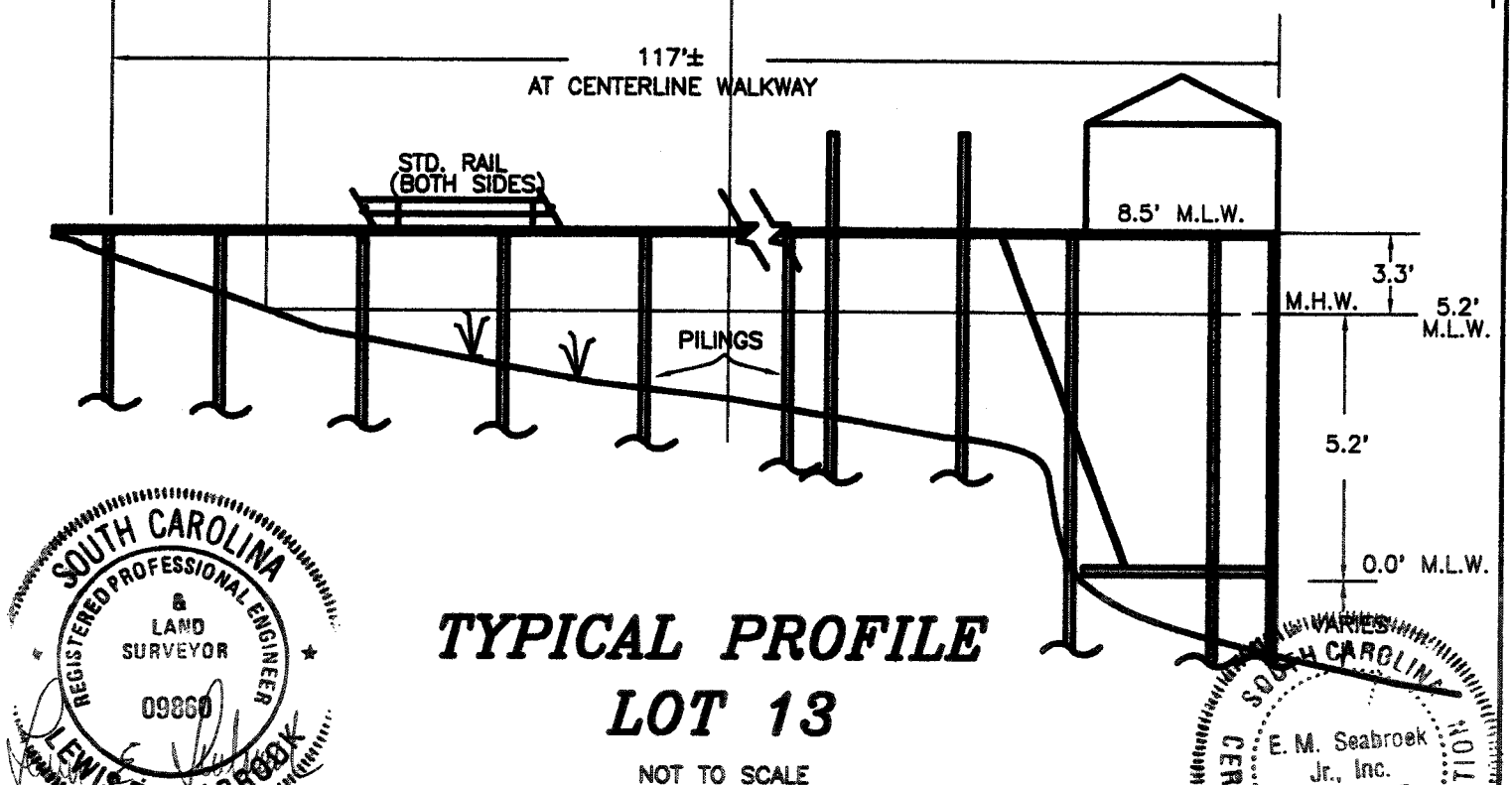
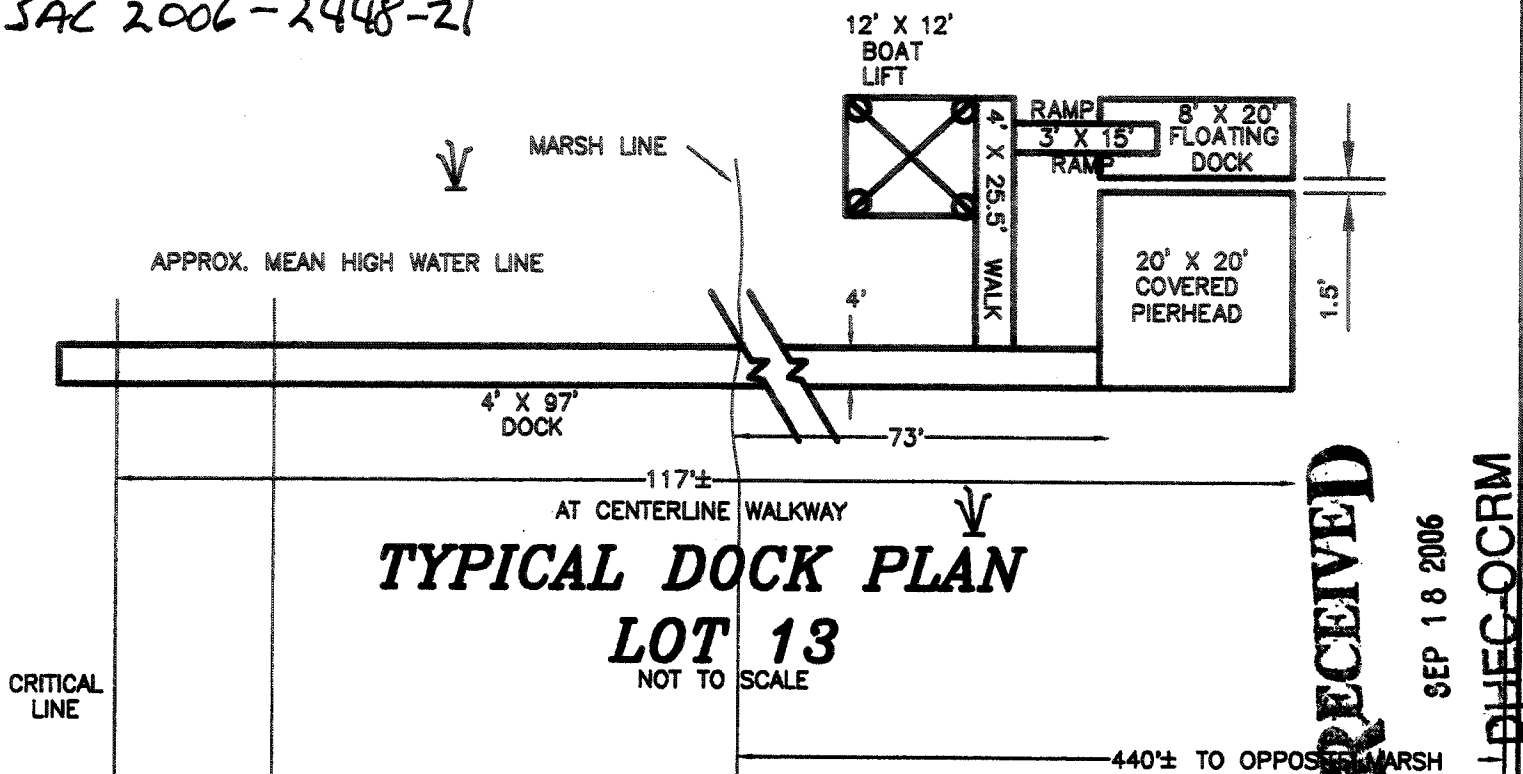
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